

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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**STEPHEN V. MYERS,**

**Plaintiff,**

**v.**

**JOSEPH McDONALD, et al.,**

**Defendants.**

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**Civil Action No. 17-12185-DJC**

**ORDER**

**CASPER, J.**

**February 22, 2018**

On December 19, 2017, this Court issued a Procedural Order denying plaintiff's Application to Proceed Without Prepayment of Fees without prejudice to refiling by January 9, 2018. D. 5.

The Court's records indicate that the Procedural Order was returned to the Court as undeliverable on January 8, 2018. D. 7. The same day, the court received a letter from plaintiff seeking the status of this action. D. 8.

The Clerk contacted the records department and was advised that he was released on February 2, 2018. Plaintiff is no longer in custody.

Accordingly, this action is hereby DISMISSED without prejudice.

**SO ORDERED.**

/s/ Denise J. Casper  
Denise J. Casper  
United States District Judge